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ATTACHMENT K

June 30, 2010

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 176 of House Bill No. 4800, "An Act Making Appropriations for the Fiscal Year 2011 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements."

Section 176 requires the Massachusetts Department of Transportation ("DOT") to conduct a comprehensive study to determine the potential effects of its salt and deicing chemical storage and operations on the Town of Boxford's groundwater.

While I support the purposes of this section, I am concerned the described study is overly broad and could end up being inconclusive. In order to fulfill the purposes of the section, I recommend amendments to better define the scope of the study, and allow DOT sufficient time in order to complete a reliable study.

For these reasons, I recommend that Section 176 be amended by striking out the text and inserting in place thereof the following text:

SECTION 176. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

"Study area", the area within the town of Boxford located approximately 500 feet from any portion of any interchange of interstate highway route 95.

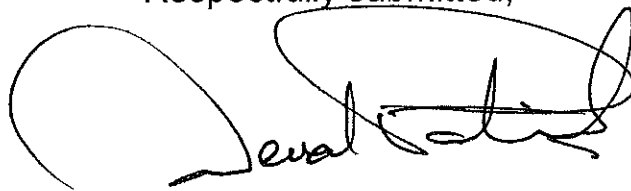
"Safe drinking water", water that meets or exceeds all primary and secondary standards and recommended guidelines for drinking water as defined by the department of environmental protection.

(b) The department shall conduct a comprehensive study to determine the cumulative and immediate effects of deicing chemical storage and deicing operations and other chemical applications on the groundwater aquifers and bedrock fissures within the study area. The study shall provide recommendations as to: (1) the proximate causes of deicing chemicals and other chemicals, including sodium and chloride, infiltration into the groundwater aquifers and bedrock fissures within the study area; (2) short-term and long-term remedial actions necessary to provide safe drinking water from road salt constituents to affected users in the study area; (3) a plan to modify highway drainage systems, consistent with MassDOT's NPDES permit, to mitigate storm water runoff and highway drainage impacts on aquifers, bedrock fissures and adjacent wetland resource areas; and (4) alternative, cost-effective means to provide a reliable and adequate safe drinking water supply to the residents located within the study area that meet all state requirements.

(c) The department shall conduct the study using an independent consultant. With respect to the development of the study scope of work, the selection of the independent consultant and the review of study recommendations, the department shall consult with a committee of no more than 5 persons to be appointed by the board of selectmen and the board of health of the town of Boxford. Following a period of time sufficient to conduct a reliable study, the department shall file a report of its activities and the developed recommendations

with the governor and the clerks of the senate and house of representatives who shall forward the same to the house and senate committees on ways and means and other committees as appropriate. To the extent the report provides for disbursement of appropriations or other moneys authorized by the general court, the plan shall be subject to the approval of the secretary of transportation and the secretary of administration and finance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Neval S. S. S.", is written over a large, loopy circular flourish.